

FILED 19 MAR '25 10:09 USDC-ORE

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Plaintiff, appearing Pro Se

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

PRESTON BERMAN,

Plaintiff,

v.

PSYCHIATRIC SECURITY REVIEW BOARD;
ALISON BORT, in her official capacity as
Executive Director of the Oregon Psychiatric
Security Review Board,

Defendants.

Case No: 6:24-cv-01127-MTK

PLAINTIFF'S MOTION TO COMPEL
FILING OF PSRB EXHIBITS UNDER SEAL

INTRODUCTION

Plaintiff Preston Berman respectfully moves this court for an order compelling Defendants to electronically file PSRB Exhibits 1–422 with the court, under seal, via the Electronic Court Filing (ECF) system.

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Plaintiff recently mailed a Motion for Temporary Restraining Order (TRO) to this court on March 13, 2025, which explicitly references and relies on testimony provided at a Psychiatric Security Review Board (PSRB) hearing held on February 26, 2025. These 422 exhibits, consisting of several thousand pages, form the complete record reviewed by the PSRB and are essential to this Court's determination of Plaintiff's pending motions and overall claims.

ARGUMENT

Plaintiff is proceeding pro se and is currently confined at the Oregon State Hospital (OSH) under the jurisdiction of the PSRB. Due to the conditions of confinement, the Plaintiff is unable to electronically file (ECF) court documents. Plaintiff has been explicitly denied access to electronic filing capabilities (ECF) by this Court and must rely entirely on mail submission.

Because the Defendants possess the only practical capability to electronically file these critical documents, Plaintiff respectfully requests that the Court compel the Defendants to file PSRB Exhibits 1–422 under seal through ECF, as these exhibits are relevant to the Court's ability to make informed decisions in this matter.

1. Importance and Relevance of Exhibits:

PSRB Exhibits 1–422 contain records, expert testimonies, psychiatric evaluations, and other relevant evidence, critical to this Court's evaluation of Plaintiff's pending motions, particularly the recently submitted motion requesting immediate injunctive relief.

Without these exhibits, the Court lacks the comprehensive context necessary to fully assess Plaintiff's claims and the credibility of evidence presented.

2. Denial of Electronic Filing Access:

The Plaintiff's lack of ECF capability places the burden of filing the documents squarely on the Defendants, who maintain exclusive electronic access to these exhibits. Plaintiff has previously requested Defendants' cooperation via email, explicitly asking them to file these documents under seal through ECF due to their voluminous nature and sensitivity. Defendants declined to promptly comply with this reasonable request.

3. Necessity and Fairness:

The 422 exhibits directly relate to whether the Plaintiff meets criteria for continued confinement under Oregon law and federal due process standards. Fundamental fairness, judicial efficiency, and thoroughness of review require the complete evidentiary record to be before the Court.

REQUEST FOR RELIEF

Plaintiff respectfully requests that this Court grant the following relief:

1. Order Defendants to promptly and electronically file PSRB Exhibits 1–422 under seal via ECF.
2. Require Defendants to submit these documents within 7 days of the date of this Order to facilitate timely judicial consideration.

DATED: March 14, 2025.

Respectfully submitted,

s/ Preston Berman

PRESTON BERMAN

2600 Center St. NE

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Plaintiff, appearing Pro Se

CERTIFICATE OF SERVICE

I certify that on March 14, 2025, I served the foregoing PLAINTIFF'S MOTION TO COMPEL FILING OF PSRB EXHIBITS UNDER SEAL upon the parties hereto by the method indicated below, and addressed to the following:

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Attorneys for Defendants

☐ HAND DELIVERY
☐ MAIL DELIVERY
☐ OVERNIGHT MAIL
☐ TELECOPY (FAX)
☒ E-MAIL
☐ E-SERVE

DATED: March 14, 2025.

Respectfully submitted,

s/ Preston Berman
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